

REMARKS

The Final Office Action dated May 21, 2004, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 12 and 16 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added, and no new issues are raised that require further consideration and/or search. Support for the amendments may be found throughout the specification. Thus, claims 1-16 are pending in the present application and are respectfully submitted for consideration.

Claims 12, 13 and 15 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent no. 5,974,309 (*Foti*). The Office Action took the position that *Foti* taught all the features of independent claim 12. Applicant submits that *Foti* does not disclose or suggest all the features of the presently pending claims.

Claim 12, upon which claims 13 and 15 are dependent, presently recites a mobile communications system. The mobile communications system includes at least one mobile station. The mobile communications system also includes a communications network with which the at least one mobile station is arranged to communicate. The mobile communications system also includes a tracing facility for tracing mobile communications system activities relating to at least one of the mobile stations. The tracing facility has a predefined trace activation number for activating tracing of mobile communications system activities relating to the at least one mobile station in response to

a communication from the at least one mobile station to the predefined trace activation number.

As discussed in the specification, examples of the present invention enable monitoring of network performance. A trace activation number of a tracing facility may automatically determine the number to be traced. Thus, trace activation may be less complex. Examples of the present invention enable a person to control the tracing of a mobile station to any location, where the mobile station has a connection to a mobile communication network. Thus, a user may be able to keep track of activities in a mobile communications system. It is respectfully submitted that *Foti* fails to disclose the elements of any of the presently pending claims. Thus, *Foti* fails to provide the critical and unobvious advantages discussed above.

Foti relates to a method and apparatus for facilitating law enforcement agency monitoring of cellular telephone calls. *Foti* describes that identification of the parties participating in a cellular telephone call is important. Due to signaling protocol specific details, the actual telephone number of a calling party is not included in signaling information, and only a roaming number is present in the signaling information. This roaming number does not directly reveal the identity of the calling party. According to *Foti*, tracing refers to finding out the directory number, or identity, of a calling party or that of a called party. The numbers activating tracing are directory numbers of normal subscribers, that activate tracing on a temporary basis. Callers and calling parties are unaware of the tracing.

Foti, however, does not disclose or suggest the feature of a tracing facility for tracing mobile communications system activities relating to at least one mobile station. *Foti* also does not disclose or suggest the tracing facility has a predefined trace activation number for activating tracing of mobile communications system activities relating to at least one mobile station in response to a communication from the at least one mobile station to the predefined trace activation number.

In contrast, claim 12 recites "a tracing facility for tracing mobile communications system activities relating to at least one of said mobile stations, wherein the tracing facility has a predefined trace activation number for activating tracing of mobile communications system activities relating to said at least one mobile station in response to a communication from said at least one mobile station to the predefined trace activation number." Applicant submits that *Foti* does not disclose or suggest at least these features of claim 12.

Applicant submits that *Foti* does not disclose or suggest a predefined tracing activation number for activating tracing of a mobile station directing the communication to that number. *Foti* describes finding out the directory number, or identity, of a calling party or a called party. According to *Foti*, callers and called parties are unaware of the tracing. *Foti* does not disclose or suggest a predefined trace activation number for activating tracing of mobile communications system activities relating to a mobile station. In contrast, claim 12 recites the tracing facility having a predefined activation number for activating tracing of mobile communications system activities relating to a

mobile station in response to a communication from the mobile station to the predefined trace activation number. Thus, a communication is directed to the trace activation number on purpose. *Foti* does not disclose or suggest this feature because its tracing refers to finding out the identification of a caller. Thus, *Foti* does not disclose or suggest all the features of claim 12.

Applicant also submits that *Foti* does not disclose or suggest a predefined trace activation number for activating tracing, as recited in claim 12. The Office Action stated that the claim limitation does not require that the predefined tracing activation number to be a specific and particular number. Applicant submits that a predefined trace activation number, as recited, is not disclosed or suggested by *Foti* because *Foti* does not describe a predefined trace activation number in a tracing facility for activating tracing of mobile communications system activities relating to at least one mobile station in response to a communication from the at least one mobile station to the predefined trace activation number. As noted above, *Foti* uses directory numbers of normal subscribers to activate tracing on a temporary basis with the callers and calling parties that are unaware tracing is occurring. The present invention, instead, describes that a communication is directed to the trace activation number on purpose.

Thus, *Foti* does not disclose or suggest all the features of independent claim 12. Claims 13 and 15 also are not disclosed nor suggested for the reasons given above, and because of their dependence upon claim 12. Applicant respectfully requests that the anticipation rejection be withdrawn.

Claims 1-11, 14 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Foti* in view of U.S. Patent No. 5,978,669 (*Sanmugam*). The Office Action took the position that *Foti* does not disclose directing a communication from the mobile station to a predefined tracing class of tracing facility for activation tracing of the mobile station. *Sanmugam* was cited as providing the features missing from *Foti* recited in the pending claims. Applicant respectfully submits that the cited references, either alone or in combination, do not disclose or suggest all the features of claims 1-11, 14 and 16.

Claim 1, upon which claims 2-11 and 14 are dependent, recites a method of trace activation in a mobile communications system. A mobile station is in communication with the mobile communications network. The method includes defining a predefined trace activation number. The method also includes directing a communication from the mobile station to the predefined trace activation number of a tracing facility for activating tracing for the mobile station. The method also includes activating tracing at the tracing facility for the mobile station from which the communication originates. The method also includes tracing mobile communications system activities relating to the mobile station from which the communication originates. The method also includes generating a trace report for the mobile station.

Claim 16 recites a system for trace activation. The mobile station is in communication with the mobile communications network. The system includes a tracing facility having a predefined trace activation number and configured to trace mobile

communications network activities relating to a mobile station. The system also includes directing means for directing a communication from a mobile station to the predefined trace activation number of the tracing facility for activating tracing of mobile communications network activities relating to the mobile station. The system also includes activating means for activating tracing at the tracing facility for the mobile station from which the communication originates. The system also includes generating means for generating a trace report for the mobile station.

As discussed above, *Foti* does not disclose or suggest all the features of independent claim 12. In addition to the deficiencies cited in the Office Action, applicant submits that *Foti* does not disclose or suggest all the features of independent claims 1 and 16. Specifically, applicant submits that *Foti* does not disclose or suggest "defining a predefined trace activation number" or "tracing mobile communications system activities relating to the mobile station from which the communication originates," as recited in claim 1. *Foti* also does not disclose or suggest "a tracing facility having a predefined trace activation number and configured to trace mobile communications network activities relating to a mobile station" or "directing means for directing a communication from the mobile station to the predefined trace activation number of the tracing facility for activating tracing of mobile communication network activities relating to the mobile station," as recited in claim 16. Thus, *Foti* does not disclose or suggest at least these features of claims 1 and 16.

Applicant also submits that *Sanmugam* also does not disclose or suggest these features missing from *Foti*. *Sanmugam* relates to a method of detecting fraud in a radio communications network by analyzing activity and identification of radio frequency channel data from mobile stations in the network. *Sanmugam* describes fraud being suspected when a system detects a multiple access from a mobile station, when an activity collision occurs, when the system receives a premature registration from the mobile station, when auditing or operating-initiated locating of the mobile station reveals the existence of the mobile station into a station simultaneously or when tracing of mobile subscriber activity reveals unusual activity. According to *Sanmugam*, tracing refers to keeping track of mobile station activities. *Sanmugam*, however, does not disclose or suggest the features of defining a predefined trace activation number and tracing mobile communications system activities relating to the mobile station from which the communication originates.

In contrast, as discussed above, claims 1 and 17 recite these features. According to the present invention, tracing refers to tracing mobile communications system activities for mobile stations directing a communication to the predefined trace activation number. This feature is not disclosed or suggested by *Sanmugam*, either alone or in combination with *Foti*. Therefore, the cited references, either alone or in combination, do not disclose or suggest all the features of independent claims 1 and 16. The remaining claims 2-11 and 14 depend directly or indirectly from claim 1, and are allowable at least

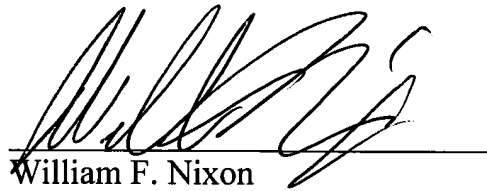
for the reasons given above. Therefore, applicant respectfully requests that the obviousness rejection be withdrawn.

Thus, it is submitted that each of claims 1-16 recites subject matter that is neither disclosed nor suggested by the cited references, either alone or in combination. It is therefore respectfully requested that all of claims 1-16 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William F. Nixon', is written over a horizontal line.

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Enclosures: